

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

JUDITH A. KLINE, :  
Plaintiff, :  
vs. : Case No. 3:14cv00204  
CAROLYN W. COLVIN, : District Judge Thomas M. Rose  
Acting Commissioner of the Social : Chief Magistrate Judge Sharon L. Ovington  
Security Administration, :  
Defendant. :

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**REPORT AND RECOMMENDATIONS<sup>1</sup>**

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On October 16, 2014, Plaintiff Judith A. Kline filed a motion to dismiss her Complaint, with prejudice. (Doc. #8, *PageID#* 79). Plaintiff indicated that Defendant did not object to her motion. (*Id.*). Accordingly, Plaintiff's motion is well taken.

**IT IS THEREFORE RECOMMENDED THAT:**

1. Plaintiff's Motion to Dismiss (Doc. #8) be GRANTED and this case be DISMISSED with prejudice;
2. Defendant's Motion to Dismiss (Doc. #7) be DENIED as moot; and,
3. This case be TERMINATED on the docket of this Court.

October 16, 2014

s/Sharon L. Ovington  
Sharon L. Ovington  
Chief United States Magistrate Judge

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<sup>1</sup> Attached hereto is NOTICE to the parties regarding objections to this Report and Recommendations.

## NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen (14) days after being served with this Report and Recommendations. Pursuant to Fed. R. Civ. P. 6(d), this period is extended to seventeen (17) days because this Report is being served by one of the methods of service listed in Fed. R. Civ. P. 5(b)(2)(c), (D), (E), or (F). Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen (14) days after being served with a copy thereof.

Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See, United States v. Walters*, 638 F. 2d 947 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140 (1985).